

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DAVID ROCHON
and THOMAS MURRAY

Application 09/418,509

MAILED

JUL 02 2002

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on June 25, 2002. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement was filed March 6, 2001 (Paper No. 7). It is not apparent from the record that the examiner considered the statement submitted nor notified applicant of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application 09/418,509

Accordingly, it is

ORDERED that the application is returned to the Examiner for such consideration of the Information Disclosure Statement and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

Dale M. Shaw
Program and Resource Administrator
(703) 308-9797

Olbon, Spivak, McClelland, Maier
& Neustadt, PC
1755 Jefferson Davis Hwy., 4th Floor
Arlington, VA 22202

dms/caw/lie
RA020053



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

REMAND

Application: 09/418, 509

Appellant: Rochon et al.

Filing Date: 10/15/99

Attorney Docket: 7791-0081-25

OBLON SPIVAK MCCLELLAND
MAIER & NEUSTADT PC
1755 JEFFERSON DAVIS HIGHWAY 4TH FLOOR
ARLINGTON, VA 22202

Date Mailed:

Please find below a communication from the Examiner in charge of this Application.

Commissioner of Patents and Trademarks.

1. In response to the Applicant's Information Disclosure Statement (IDS), filed on March 09, 2001 and the letter to Remand to the Examiner of 07/02/02 (paper no. 19), the IDS has been considered and acknowledged by the Examiner.

2. A complete copy of the Form PTO-1449 is herein enclosed.

3. Since no further response by the appellant is deemed necessary, the Application has been forwarded to the Board of Appeals and Interferences for decision on the Appeal.

Any inquiry concerning this communication from the Examiner should be directed to Jean D. Janvier, whose telephone number is (703) 308-6287). The aforementioned can normally be reached Monday-Thursday from 10:00AM to 6:00 PM EST. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Mr. Eric W. Stamber, can be reached at (703) 305- 8469.

For information on the status of your case, please call the help desk at (703) 305-3900.

JDJ
07/09/02